

REMARKS

Claims 1, 3-10 and 18, 20-22, 24, 26-27 are pending in the present application, of which claims 1, 6, 18 and 24 are independent. Claims 6, 18, and 24 have been amended. Claims 19, 23 and 25 have been canceled. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

REJECTION UNDER 35 U.S.C. §102 AND REJECTION UNDER 35 U.S.C. §103

The Examiner rejected claims 1-3, 6-8, 18-19 and 21-25 under 35 U.S.C. §102(a) as being allegedly anticipated by U.S. Patent No. 6,233,463 B1 issued to Weideman (hereinafter "Weideman").

The Examiner rejected claims 4-5, 9-10, 20, 26-27 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,233,463 B1 issued to Weideman (hereinafter "463") in view of U.S. Patent No. 2002/0094811 A1 issued to Bright (hereinafter "811").

The rejections are respectfully traversed.

1. (Amended) A mobile switching center (MSC) configured for supporting wireless communication *between a code division multiple access (CDMA) radio access network (RAN) and both a GSM core infrastructure and an IS-41 core infrastructure*, comprising:

a first circuit communicating with the *CDMA RAN*, the first circuit communicating with the IS-41 core infrastructure using IS-41 protocol; and

a second circuit communicating with the *CDMA RAN*, the second circuit communicating with the GSM core infrastructure using GSM protocol, ~~wherein the first or second circuit is selected based on at least one message from a mobile station (MS).~~

The MSC communicates between a CDMA RAN and both a GSM core infrastructure and an IS-41 core infrastructure. There is no CDMA RAN in Wiedeman

that is in addition to a GSM core infrastructure and an IS-41 core infrastructure as required by claim 1.

Regarding claim 1, the Examiner states "Wiedeman discloses a system configured for supporting wireless communication between a code division multiple access (CDMA) and both a GSM core infrastructure and an IS-41 infrastructure (figures 6A-8B)." Office Action dated Nov. 17, 2003, page 2.

The Examiner states, "code division multiple access (CDMA)," but does not state "CDMA RAN," which is a required limitation of claim 1. Furthermore, the Examiner cites figures 6A-8B, but nowhere in figures 6A-8B is language disclosing an MSC communicating between a CDMA RAN and a GSM core infrastructure and an IS-41 core infrastructure.

To anticipate a claim under 35 U.S.C. §102(e), the reference must teach every element of the claim and "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." (see MPEP §2131)

I note that in the Office Action dated February 5, 2003, page 3, with respect to previously cancelled claim 11, the Examiner pointed to element 40 and col. 12, lines 53-55 of Wiedeman to satisfy the code division multiple access (CDMA) radio access network (RAN) limitation:

...a Code Division Multiple Access (CDMA) RF Interface System (CRFIS) 40 to a Switch Assembly (SSA) 42 (e.g., an IS-41 MSC) is connected directly to the PSTN 3.

The CRFIS 40 is connected to antenna 28 of the gateway 10. Figures 5-8B. The antenna 28 transmits and receives "DS-CDMA *satellite* links S2 which connect the gateway 10 to the *satellites* 8 (emphasis added)." The antenna 28 does not communicate with a CDMA RAN. Thus, the language of claim 1, the MSC communicates "between a CDMA RAN and both a GSM core infrastructure and an IS-41 core infrastructure," is not met.

Since Wiedemann does not disclose an MSC that communicates "between a code division multiple access (CDMA) radio access network (RAN) and both a GSM core

infrastructure and an IS-41 core infrastructure,” as required by claim 1, then claim 1 is patentable. Claims 2-5 are patentable since they depend on independent claim 1.

Amended claim 6 is patentable since Wiedemann does not disclose an MSC that communicates “between a code division multiple access (CDMA) radio access network (RAN) and both a GSM core infrastructure and an IS-41 core infrastructure,” as required by claim 6. Claims 7-10 are patentable since they depend on patentable claim 6.

Amended claim 18 is patentable since Wiedemann does not disclose the step of receiving “using a CDMA RAN.” As shown above, the wireless CDMA signal referred to at col. 12, lines 52-54 does not meet the language of receiving “using a CDMA RAN.” Claims 20-22 are patentable since they depend on patentable claim 18.

Amended claim 24 is patentable since Wiedemann does not disclose a wireless mobile station that “communicates with a mobile switching center (MSC) using the CDMA RAN,” as shown above. Claims 26-27 are patentable since they depend on patentable claim 24.


CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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